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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,730	10/16/2003	Avi Matatov		1766

7590
Stephen E. Feldman, P.C.
12 East 41st Street
New York, NY 10017

11/15/2007

EXAMINER

MISKA, VIT W

ART UNIT	PAPER NUMBER
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2833

MAIL DATE	DELIVERY MODE
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11/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/688,730	Applicant(s) MATATOV, AVI	
	Examiner Vit W. Miska	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 13-17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the U.S. Patent to Howard (3277646) in view of the Patent to Proellocks et al (4444513).
2. Howard discloses a watch comprising: a principal circular dial 20 of movement 30, the principal dial having a first function and a second function, the first function being a time keeper keeping the time of day in a first time zone (see Fig. 1 and col. 2, lines 24-25)), the second function being of a chronograph (time measuring), the first time zone being the most important time zone; at least three subordinate dials 30 of movements 22, 24, 26, the at least three subordinate dials each having a single function, the single function being a time keeper keeping the time of day in a second, third and fourth time zones, respectively, (see col. 2, lines 24-25) the second, third and fourth time zones

being different from each other and the first time zone; and a casing 12 having a top side 16 that allows for a clear view of the a plurality of movements, , a bottom side 14 and side edges as shown in Figs. 3 and 6, the rear side including a cross-sectional curve (see Fig. 3) allowing for comfortable placement of the watch mechanism on a user, and the side edges (see Fig. 3) having opposing curves that coincide with the cross-sectional curve. With respect to claims 16-17, Howard further discloses a stem 36 for "setting and winding mechanisms" of each movement. Although element 36 is referred to as a "stem" by patentee, it is apparent to one skilled in the art that such winding or setting element includes a crown for manual actuation and stem connected thereto for setting the movement gears.

3. With respect to the "top side including scratch resistant surface to allow clear view of the movements", crystal 16 in Howard corresponds to this structure. It is noted that applicant's specification at page 6, last two lines describe the crystal 9 as "allowing clear view of the watch dials" and consequently, crystal 16 in Howard is considered in the same manner as allowing viewing of the watch dials 24,26,28,30. With respect to the term "scratch resistant" pertaining to the crystal, Official notice is taken of the conventional use of scratch resistant glass as watch crystals to minimize damage and wear to the front of the timepiece, the use of the same in Howard for this purpose therefore being suggested to on skilled in the art.

4. The reference does not specifically indicate that each dial/movement is capable of operation following removal of any of the other movements. However, one of ordinary skill in the art would recognize that the purpose of the device is to provide a timepiece having several movements with separate indicators, setting and winding means, as proposed at col. 2, lines 18-21, and thus suggesting separate operation thereof. This feature is further evident from Proellochs, which discloses a timepiece with two movements with corresponding displays 2,3. The two movements operate independently of each other and include separate batteries, as suggested at col. 2, lines 39-45. Therefore, it would be obvious for one of ordinary skill in the art having both references to provide separately operable movements in Howard, as taught by Proellochs et al, in order to display the correct time in case of failure of one of the movements. Any such separately operable movement would be "capable" of being removed and replaced with a new movement, as per claim 20.

5. With respect to the movements "capable of being removed from the watch independently of each other", it would be obvious for one skilled in the art that the separate movements in Howard, when designed for separate operability as noted above, would be capable of independent removal, as further taught by Proellochs et al in order to facilitate assembly and/or repair thereof.

6. With respect to size and location of the dials in claims 13 and 15, making one of the dials/movements larger than the remaining ones would be an obvious design feature and could be selected to accentuate the relative significance of each movement. The plurality of dials/movements need not be identical as shown in the drawings, but may have different features, as suggested at col. 4, lines 3-8, and therefore the size of each dial may be selected accordingly. The location on the watch face selected for each dial as per claim 15 would likewise constitute an obvious preference feature for the user.

7. With respect to claim 14, each movement is disclosed as being provided with a setting and winding mechanism (col. 2, line 20), and thus it would be obvious for one skilled in the art to provide a separate power source for each movement, as a winding mechanism of a timepiece generally refers to the winding of the mainspring for powering the movement. Further, it would be obvious for one skilled in the art to provide each movement in the Howard timepiece with a separate power source as suggested by Proellochs et al (col. 2, line 42), for enabling each movement to operate independently.

8. Claim 18 is are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard and Proellochs et al, as applied to claim 13, above, in further view of the GB Patent to Yeung (2,194,081). The latter reference teaches the securing of a movement 2 of a timepiece in an opening 5 of plate 1. It would be obvious for one of ordinary skill

in the art to mount each of the movements in Howard frictionally in this manner to secure the movements within the watch housing structure.

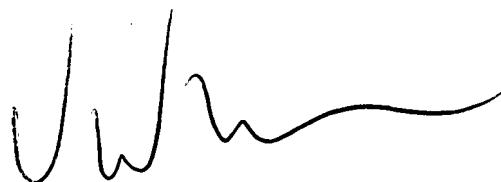
Response to Arguments

9. Applicant's arguments filed 9/10/2007 have been fully considered but they are not persuasive. Applicant notes that Howard does not suggest independently operable movements. However, obviousness is not determined by what the references expressly state, but what they would fairly suggest to one of ordinary skill in the art. Howard, and particularly when viewed with Proellochs et al suggest that the movements in Howard may be made to operate independently for the reasons set forth.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vit W. Miska whose telephone number is 571-272-2108. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, P. Bradley can be reached on 571-272-2001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'V W Miska', with a long horizontal flourish extending to the right.

Vit W. Miska
Primary Examiner
Art Unit 2833

VM
11/8/2007